

EXHIBIT C

1 UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF NEW YORK

3 RUBEN WILLS,

4 Plaintiffs,

5 Case No:

6 - against -

20-cv-04432 BMC-VMS

7 MICROGENICS CORPORATION, THERMO FISHER SCIENTIFIC,
8 INC., ACTING COMMISSIONER ANTHONY J. ANNUCCI, AND
9 SUPERINTENDENT DELTA BAROMETRE, SUPERINTENDENT FOR
10 PROGRAMS MITCHELL, LIEUTENANT MCCREY, LIEUTENANT
11 WOODBURY, CAPTAIN DOE,

12 Defendants.

13 -----X

14 April 24, 2023

15 9:32 a.m.

16
17
18
19 VIRTUAL DEPOSITION OF RUBEN WILLS, a Plaintiff,
20
21 pursuant to Notice, taken at the above date and
22
23 time, before MARIA ACOCELLA, a Notary Public within
24
25 and for the State of New York.

<p style="text-align: right;">Page 30</p> <p>1 Ruben Wills</p> <p>2 until I was convicted.</p> <p>3 I was incarcerated two weeks</p> <p>4 after the conviction.</p> <p>5 Q. And you also mentioned that you</p> <p>6 had a not-for-profit that you were --</p> <p>7 What was your position for the</p> <p>8 not-for-profit that you established?</p> <p>9 A. Founder and executive director.</p> <p>10 Q. And what were your duties as</p> <p>11 founder and executive director?</p> <p>12 A. Because it was really just me and</p> <p>13 a group of volunteers, so promotion,</p> <p>14 organizing, securing budgets.</p> <p>15 Q. And what did the not-for-profit</p> <p>16 do? What was the mission?</p> <p>17 A. We dealt with the disparity and</p> <p>18 inequities that single mothers had to deal</p> <p>19 with: Healthcare, different types of</p> <p>20 insurance knowledge, child care, early child</p> <p>21 care education, things like that.</p> <p>22 Q. Is that not-for-profit still in</p> <p>23 existence?</p> <p>24 A. No.</p> <p>25 Q. How many --</p>	<p style="text-align: right;">Page 32</p> <p>1 Ruben Wills</p> <p>2 Q. And when you entered the DOCCS</p> <p>3 system, were you provided an inmate behavior</p> <p>4 handbook?</p> <p>5 A. Yes.</p> <p>6 Q. Okay.</p> <p>7 A. When you're saying DOCCS, are we</p> <p>8 talking about state DOCCS or city DOCCS?</p> <p>9 Q. When I say DOCCS, from this point</p> <p>10 on I am actually referring to the New York</p> <p>11 State Department of Corrections and Community</p> <p>12 Service?</p> <p>13 A. Yes, I was.</p> <p>14 Q. And what kind of information did</p> <p>15 the inmate handbook contain?</p> <p>16 A. Rules and procedures things that</p> <p>17 were acceptable, things that were not</p> <p>18 acceptable.</p> <p>19 Q. Was there any information in that</p> <p>20 handbook related to unauthorized medication?</p> <p>21 A. That would be the second</p> <p>22 handbook.</p> <p>23 Q. When you say the second handbook,</p> <p>24 what do you mean by that?</p> <p>25 A. The first book that we received</p>
<p style="text-align: right;">Page 31</p> <p>1 Ruben Wills</p> <p>2 A. It is still in existence; we just</p> <p>3 don't operate it.</p> <p>4 Technically, on paper, it is</p> <p>5 still in existence.</p> <p>6 Q. Approximately how many volunteers</p> <p>7 or individuals did you supervise as founder</p> <p>8 and executive for the nonprofit?</p> <p>9 A. It would fluctuate.</p> <p>10 Q. Where did you get the funding for</p> <p>11 that specific not-for-profit?</p> <p>12 A. Most of it came from me.</p> <p>13 Q. When you say from you, what do</p> <p>14 you mean by that?</p> <p>15 A. Personally, I funded most of it.</p> <p>16 Q. Okay. Mr. Wills, you are no</p> <p>17 longer incarcerated, correct?</p> <p>18 A. No, ma'am.</p> <p>19 Q. And how long were you in state</p> <p>20 custody?</p> <p>21 A. Two years.</p> <p>22 Q. And when you approximately --</p> <p>23 when you say two years, approximately, what</p> <p>24 years are you referring to?</p> <p>25 A. 2017 until 2019.</p>	<p style="text-align: right;">Page 33</p> <p>1 Ruben Wills</p> <p>2 when we enter DOCCS is a smaller handbook,</p> <p>3 something like five by five, and it gives</p> <p>4 outlines and procedures.</p> <p>5 When you enter the temporary work</p> <p>6 release, they give you a larger book, which</p> <p>7 is eight and a half by eleven; I don't know</p> <p>8 the exact amount of pages, maybe 40 pages.</p> <p>9 And that book outlines unauthorized</p> <p>10 medication or over-the-counter medication.</p> <p>11 MS. DEDUSHI: One moment, please.</p> <p>12 THE WITNESS: Sure.</p> <p>13 MS. DEDUSHI: I am just looking</p> <p>14 for something. Bear with me, Mr. Wills.</p> <p>15 THE WITNESS: No problem.</p> <p>16 MS. DEDUSHI: One second. I will</p> <p>17 be sharing a document with you.</p> <p>18 Does anyone know how to -- I</p> <p>19 thought I -- usually it is on the bottom</p> <p>20 to share a document, right, Mr. Rickner,</p> <p>21 since you seem to be --</p> <p>22 MR. RICKNER: It depends on who</p> <p>23 the host is.</p> <p>24 MS. MEKLES: Off the record.</p> <p>25 (Discussion off the record at</p>

Page 34

1 Ruben Wills
2 10:07 a.m. and back on the record at
3 10:08 a.m.)
4 MS. DEDUSHI: Okay.
5 Q. So I will be sharing the screen,
6 Mr. Wills. I will be showing you what will
7 be marked as Defendant's Exhibit A by the
8 court reporter. I will scroll down and give
9 you an opportunity to look at it. Just let
10 me know when I can move to the next page,
11 okay?
12 MR. RICKNER: Can we please put
13 the Bates range on the record, since
14 this looks like it is a partial
15 document.
16 MS. DEDUSHI: I will absolutely,
17 towards the end, as he is reviewing it.
18 A. Yes, you can scroll.
19 (Whereupon, a document was marked
20 as Defendant's Exhibit A for
21 identification, as of this date.)
22 Q. Did you have the opportunity to
23 review the first page?
24 A. Yes. You can scroll, there is
25 nothing on that. All right. Okay.

Page 35

1 Ruben Wills
2 Q. So far, from looking at this
3 document -- I apologize. Does looking at
4 only these pages, does this document look
5 familiar to you?
6 A. Yes. I just can't tell if it
7 is -- this is the --
8 Q. I can keep scrolling down, if
9 that helps.
10 MR. RICKNER: Why don't you
11 scroll to the tab for medication, which
12 I would imagine my client will
13 recognize.
14 MS. DEDUSHI: Yes, one second.
15 Q. But as you can see, these pages
16 are smaller, I think are copied -- I think
17 they are copied, as you can see, in one full
18 page, but they are different -- they are
19 smaller pages.
20 A. Yes.
21 Q. So I am going to scroll down.
22 Is this the -- is this the
23 document that you were referring to, which is
24 you said the small book that you received
25 once you entered into custody of DOCCS, the

Page 36

1 Ruben Wills
2 inmate handbook?
3 A. I believe it is the smaller book,
4 yes.
5 Q. And how do you recognize it to be
6 the smaller book?
7 A. The printing just looks different
8 from what I remember than the larger book.
9 Can you scroll back up a little
10 bit, so I can see the top of the page?
11 Q. Sure.
12 A. On this particular page.
13 Q. Sure.
14 A. No. No. I didn't mean all the
15 way back to the top of the --
16 Q. Okay.
17 A. I just meant that particular page
18 you were on.
19 Q. Okay. Then one second.
20 A. So it would be the next page.
21 Yes, right there. I need to see
22 the top of this page.
23 Q. Sure.
24 A. I believe this is the first one
25 that we received.

Page 37

1 Ruben Wills
2 Q. Okay. But if you look at -- if
3 you look at this page, which is State
4 Defendant -- Bates Number State Defendant
5 000965, does it contain any information
6 related to unauthorized medication?
7 A. Yes, 113.14.
8 Q. In the handbook, when you first
9 entered DOCCS, and you received the inmate
10 behavior handbook, it did contain information
11 regarding unauthorized medication, correct?
12 A. Yes.
13 MS. DEDUSHI: I am going to stop
14 sharing.
15 Q. What facilities were you housed
16 while incarcerated by DOCCS?
17 A. I was housed at Downstate. I was
18 housed at Marcy Correctional. These are all
19 correctional facilities.
20 Do I have to say Downstate
21 Correctional Facility, Marcy Correctional
22 Facility?
23 Q. You know, say it in a way that it
24 is clear what you mean.
25 A. I was housed at Downstate

<p style="text-align: right;">Page 38</p> <p>1 Ruben Wills</p> <p>2 Correctional Facility. I was housed at Marcy</p> <p>3 Correctional Facility. I was housed at</p> <p>4 Ulster Correctional Facility. I was housed</p> <p>5 at Sing Sing Correctional Facility. I was</p> <p>6 housed at Hudson Correctional Facility. I</p> <p>7 was housed a Lincoln Correctional Facility.</p> <p>8 Q. Okay. Where were you housed in</p> <p>9 2018?</p> <p>10 A. 2018, I was housed at Downstate</p> <p>11 Correctional Facility, and then transferred</p> <p>12 to Marcy Correctional Facility, which was the</p> <p>13 only facility.</p> <p>14 Q. So 2018, you were in Marcy</p> <p>15 Correctional Facility from Downstate?</p> <p>16 A. Yes.</p> <p>17 Q. Were you at Marcy the entire of</p> <p>18 2018?</p> <p>19 A. I was incarcerated in August</p> <p>20 12th, so I didn't get to Marcy until</p> <p>21 September, I believe 13th, or thereabouts,</p> <p>22 and I stayed there for the finishing of the</p> <p>23 year. Is that what you are asking?</p> <p>24 Q. Yes. I guess I am just trying to</p> <p>25 figure out where you were in 2018, which</p>	<p style="text-align: right;">Page 40</p> <p>1 Ruben Wills</p> <p>2 A. No, that is correct. Hudson was</p> <p>3 a temporary work release facility.</p> <p>4 Q. And where -- and when were you in</p> <p>5 Hudson Correctional Facility?</p> <p>6 A. I want to say April of 2018 until</p> <p>7 September, October of 2019 -- I mean 2018 --</p> <p>8 I mean 2019, I am sorry.</p> <p>9 No, I am wrong. I was</p> <p>10 incarcerated in 2017 August of 2017. I went</p> <p>11 to Downstate, and in September of 2017, I</p> <p>12 went to Marcy Correctional Facility.</p> <p>13 Q. Okay.</p> <p>14 A. And in October or November of</p> <p>15 2017, I had two transfers back and forth</p> <p>16 through Ulster.</p> <p>17 I stayed in Marcy until April --</p> <p>18 I believe the date was in April of 2018.</p> <p>19 And in 2018 I was transferred to</p> <p>20 Hudson Correctional Facility for industrial</p> <p>21 training. I believe those are the correct</p> <p>22 dates.</p> <p>23 Q. Okay.</p> <p>24 A. Or approximate dates.</p> <p>25 Q. Did you receive an orientation,</p>
<p style="text-align: right;">Page 39</p> <p>1 Ruben Wills</p> <p>2 facility?</p> <p>3 A. Yes.</p> <p>4 Q. But you said you were in</p> <p>5 Downstate initially in 2018?</p> <p>6 A. Yes. And then they transferred</p> <p>7 me to Marcy, and there were two or three</p> <p>8 trips that I was in Ulster Correctional</p> <p>9 Facility for transfers back and forth to the</p> <p>10 city.</p> <p>11 Q. And when you were transferred to</p> <p>12 each facility that you mentioned, did you</p> <p>13 receive an orientation related to that</p> <p>14 specific facility regarding rules and</p> <p>15 regulations?</p> <p>16 A. No.</p> <p>17 Q. Which facility did you not</p> <p>18 receive orientation?</p> <p>19 A. Ulster, because that is a</p> <p>20 reception transfer facility.</p> <p>21 And I did receive -- actually, I</p> <p>22 did not receive an orientation at Marcy.</p> <p>23 Q. And you also mentioned that you</p> <p>24 were in -- or am I wrong -- did you say</p> <p>25 Hudson, or am I wrong about that?</p>	<p style="text-align: right;">Page 41</p> <p>1 Ruben Wills</p> <p>2 then, when you were transferred to Hudson</p> <p>3 Correctional Facility, which you said you</p> <p>4 were there from April of 2018 until</p> <p>5 September, October of 2018?</p> <p>6 A. Yes.</p> <p>7 Q. Were you handed over any</p> <p>8 documents as part of that orientation at that</p> <p>9 facility?</p> <p>10 A. Yes, I believe so.</p> <p>11 Q. What were those documents?</p> <p>12 A. Rules and guidelines for</p> <p>13 temporary work release facility.</p> <p>14 Q. And did you also receive an</p> <p>15 orientation in relation to the temporary work</p> <p>16 aspect?</p> <p>17 A. No. No.</p> <p>18 Q. And where were you transferred</p> <p>19 after your housing at Hudson Correctional</p> <p>20 Facility?</p> <p>21 A. To Lincoln Correctional Facility</p> <p>22 for actual work release.</p> <p>23 Q. Okay. And would you say that was</p> <p>24 sometime in September, October of 2018,</p> <p>25 'cause you said you were at Hudson from April</p>

<p style="text-align: right;">Page 58</p> <p>1 Ruben Wills</p> <p>2 work release, did you ever get to the point</p> <p>3 where you were out seven days a week?</p> <p>4 A. No. I was actually, I believe</p> <p>5 within seven days of going seven and zero.</p> <p>6 And seven days of me being going</p> <p>7 before my parole board I had a presumptuous</p> <p>8 release, which is a paper board, and I was</p> <p>9 cleared by the ORC and the superintendent up</p> <p>10 to that point. I was supposed to go seven</p> <p>11 and zero within those few days.</p> <p>12 Q. When you were at Lincoln</p> <p>13 Correctional Facility, and when you first</p> <p>14 started the program, which days were you out</p> <p>15 in the community on furlough, and which days</p> <p>16 did you have to stay at the facility?</p> <p>17 Or if you don't remember the</p> <p>18 dates, if you can just explain to me how many</p> <p>19 days you were out in the community and how</p> <p>20 many days you were in facility?</p> <p>21 A. I don't remember the dates, but</p> <p>22 because I lived on Long Island, and it was</p> <p>23 outside of a certain radius, they give you 30</p> <p>24 days to find or secure employment in the work</p> <p>25 release program.</p>	<p style="text-align: right;">Page 60</p> <p>1 Ruben Wills</p> <p>2 A. Oh, friends.</p> <p>3 Q. Which friends?</p> <p>4 A. Jamel Rivers and Taquana</p> <p>5 (phonetic) Rivers. They are husband wife.</p> <p>6 Q. And where was -- where was their</p> <p>7 home located at?</p> <p>8 A. You want the town, or the exact</p> <p>9 address?</p> <p>10 Q. You can give me the town.</p> <p>11 A. Freeport, Long Island.</p> <p>12 Q. And did your stay with these</p> <p>13 individuals have to be approved by DOCCS?</p> <p>14 A. Yes.</p> <p>15 Q. And how would they get approved?</p> <p>16 A. A parole officer would have to</p> <p>17 visit the home prior to me getting approval</p> <p>18 to be there. And once the home is found</p> <p>19 acceptable, then DOCCS -- the parole officer</p> <p>20 would let the facility know, and then they</p> <p>21 would start your contract to be able to go</p> <p>22 out then.</p> <p>23 Q. And did you have to sign a</p> <p>24 memorandum of agreement as a result of the</p> <p>25 temporary work release at Lincoln</p>
<p style="text-align: right;">Page 59</p> <p>1 Ruben Wills</p> <p>2 And after the 30 days, if you do</p> <p>3 not, you have to go back for reassessment to</p> <p>4 show that you have been diligently looking.</p> <p>5 Or they can extend your time or they can send</p> <p>6 you back upstate to permanent corrections.</p> <p>7 Q. I apologize, Mr. Wills. My</p> <p>8 question was how many days, when you</p> <p>9 started -- when were you transferred to</p> <p>10 Lincoln Correctional Facility, my question</p> <p>11 was how many days were you out on furlough</p> <p>12 and how many days you were in the facility?</p> <p>13 A. That is what I was trying to</p> <p>14 explain, because prior to that, you asked me</p> <p>15 about certain nuances and privileges.</p> <p>16 But in the beginning, I was</p> <p>17 allowed to be out four nights a week because</p> <p>18 of that, and three nights I had to come into</p> <p>19 the program.</p> <p>20 I believe the nights that I had</p> <p>21 to come in was Tuesday -- Monday, Tuesday and</p> <p>22 Wednesday nights, or Tuesday, Wednesday and</p> <p>23 Thursday nights, in the beginning.</p> <p>24 Q. And when you were out on</p> <p>25 furlough, who did you live with?</p>	<p style="text-align: right;">Page 61</p> <p>1 Ruben Wills</p> <p>2 Correctional Facility?</p> <p>3 A. Say that again. I am sorry. Can</p> <p>4 you repeat that?</p> <p>5 Q. Did you have to sign any kind of</p> <p>6 memorandum of agreement as part of the</p> <p>7 temporary work release, where you would</p> <p>8 accept all the rules and regulations related</p> <p>9 to work release while you were on furlough</p> <p>10 and while you were in temporary work release?</p> <p>11 A. Again, I don't know if it was</p> <p>12 necessarily an MOA. I know it was contract,</p> <p>13 though.</p> <p>14 Q. And while you were on furlough,</p> <p>15 did you secure an employment?</p> <p>16 A. Yes.</p> <p>17 Q. And what was the job that you</p> <p>18 secured?</p> <p>19 A. I was an assistant vendor</p> <p>20 specialist, I believe, at a local plumbing</p> <p>21 supply.</p> <p>22 Q. What was -- did you remember the</p> <p>23 name of the company?</p> <p>24 A. C&G, Charles and George.</p> <p>25 I am just giving you the</p>

Page 82

1 Ruben Wills
2 Like there is nothing you can do. You just
3 stay in your dorm. There is no -- what is
4 the name -- except going to the roof or going
5 to eat, there are no privileges in the
6 facility, so I am not sure what you mean by
7 that.
8 Q. I guess I should say that you
9 were still in the same housing area; none of
10 that changed as a result?
11 A. No. They don't place you in
12 restrictive housing, no.
13 Q. But you said the hold was placed
14 on your temporary work release; is that
15 correct?
16 A. Yes.
17 Q. Did you appeal the disciplinary
18 decision after March of 2019?
19 A. Yes.
20 Q. Did you appeal it yourself, or
21 did you have an attorney do it?
22 A. Actually, my attorney wrote into
23 the superintendent and told them that we -- I
24 would volunteer for a urine or blood test
25 which would be -- I mean a hair or blood

Page 83

1 Ruben Wills
2 test, which would be more conclusive to prove
3 that I wasn't on drugs.
4 And the superintendent didn't
5 answer for a few days.
6 In the interim, I did put in --
7 prior to that, I put in an appeal for -- yes.
8 Q. So when did you -- do you
9 remember the date you appealed it, and what
10 was the result?
11 A. I appealed it, I believe on
12 April 1st, and the result was a non-answer.
13 Yeah, it was a non-answer.
14 I then spoke to the deputy
15 superintendent the same day, and she said she
16 received the appeal. They would look over
17 the appeal, and then they would get back to
18 me.
19 But nobody ever said anything
20 about -- nobody actually wrote me back about
21 the appeal until much later.
22 Q. I guess my question was, what was
23 the conclusion of the appeal? That is really
24 what I am asking.
25 Was it granted; was it denied?

Page 84

1 Ruben Wills
2 A. See, that is where I have the
3 issue with the question, because the actual
4 conclusion of the appeal, it was denied.
5 But it was denied after
6 everything had already been done, after I
7 already had a temporary work release
8 committee and was removed from Lincoln.
9 Q. Did there come a time that that
10 disciplinary disposition was reversed?
11 A. No.
12 Q. Okay. Were you taking any
13 medications during the time that you provided
14 the urine sample in March of 2019?
15 A. Yes.
16 Q. Which medications were you
17 taking?
18 A. The medications that I had been
19 prescribed through DOCCS, and
20 over-the-counter medication, Benadryl.
21 Q. And do you remember, was Benadryl
22 prescribed to you by DOCCS during that time?
23 A. No, it is over-the-counter.
24 Q. And so are you saying that that
25 over-the-counter, the medication at Lincoln

Page 85

1 Ruben Wills
2 Correctional Facility was not prescribed by
3 medical?
4 A. No. It didn't need to be.
5 Q. And could you buy the Benadryl
6 over-the-counter medication at commissary at
7 Lincoln Correctional Facility?
8 A. There was no commissary at
9 Lincoln. There is vending machines
10 downstairs.
11 Q. What about the prescribed
12 medication? Do you remember which prescribed
13 medication you were taking in March of 2019?
14 A. Something for my bladder. I
15 don't remember the name. It was to control
16 the spasms in my bladder. Nonaspirin
17 aspirin, Prilosec. I think it is called
18 Prilosec, and something else.
19 Q. When you say Prilosec, that is
20 used for stomach issues?
21 A. Yes.
22 Q. I am going to direct your
23 attention now to April 8th of 2019.
24 Were you still incarcerated at
25 Lincoln Correctional Facility at that time?

<p style="text-align: right;">Page 94</p> <p>1 Ruben Wills</p> <p>2 would be it would cause a reaction. There</p> <p>3 would be no other problems, because the rules</p> <p>4 clearly stated you can have over-the-counter</p> <p>5 medication.</p> <p>6 Q. But there is a difference between</p> <p>7 the rules stating you can take medication</p> <p>8 while on furlough and the difference between</p> <p>9 that and possessing it within the facility</p> <p>10 without prescription?</p> <p>11 A. No. They didn't have a</p> <p>12 distinction. They told us we can have it.</p> <p>13 And being that they allowed me to</p> <p>14 bring it in, if not, they have would taken</p> <p>15 it. They would have disposed of it or</p> <p>16 written me up at that point, because that</p> <p>17 wasn't the first time I had Benadryl.</p> <p>18 Q. Who is this nurse that told you</p> <p>19 you could have Benadryl without prescription?</p> <p>20 A. I don't remember her name. I</p> <p>21 don't remember her name, but she was the only</p> <p>22 nurse that was there.</p> <p>23 Q. So you're saying -- but we</p> <p>24 reviewed the inmate handbook earlier,</p> <p>25 correct?</p>	<p style="text-align: right;">Page 96</p> <p>1 Ruben Wills</p> <p>2 The over-the-counter medication</p> <p>3 is something that is changed. There are</p> <p>4 rules that are codified and supersede,</p> <p>5 tailored to that particular program.</p> <p>6 Q. Did you have a disciplinary</p> <p>7 hearing related to your April 4, 2019</p> <p>8 misbehavior report.</p> <p>9 A. Yes.</p> <p>10 Q. And was that on April 8th of</p> <p>11 2019?</p> <p>12 A. I am not sure about the date.</p> <p>13 Q. Who was the hearing officer for</p> <p>14 this disciplinary hearing?</p> <p>15 A. I want to say Lieutenant</p> <p>16 Woodbury.</p> <p>17 Q. And did you plead guilty or not</p> <p>18 guilty for this misbehavior report?</p> <p>19 A. Not guilty.</p> <p>20 Q. Did you ask for any specific</p> <p>21 witnesses for your hearing for this</p> <p>22 misbehavior report?</p> <p>23 A. Yes. In the beginning, I</p> <p>24 believe, of that hearing, I did ask for a</p> <p>25 bunch of witnesses and a bunch of directives</p>
<p style="text-align: right;">Page 95</p> <p>1 Ruben Wills</p> <p>2 A. That is the original handbook</p> <p>3 when you are first incarcerated, yes.</p> <p>4 Q. And aren't you told you are</p> <p>5 supposed to abide by those rules the entire</p> <p>6 time that you are incarcerated by DOCCS?</p> <p>7 A. Until you get to a temporary work</p> <p>8 release, which has a different handbook that</p> <p>9 is approved by DOCCS, and that supersedes the</p> <p>10 regular handbook.</p> <p>11 Q. So are you saying that the inmate</p> <p>12 handbook that was provided to you cannot --</p> <p>13 does not -- did not -- is not in effect when</p> <p>14 you are in temporary work release; is that</p> <p>15 what you are saying?</p> <p>16 A. No. What I am saying, when they</p> <p>17 give you the secondary handbook, some of</p> <p>18 those rules are written specifically tailored</p> <p>19 to the program. So there are certain colors</p> <p>20 you cannot wear while you are upstate, but</p> <p>21 you can wear those colors when you are going</p> <p>22 back and forth to work, because you are in</p> <p>23 temporary work release. That is a rule that</p> <p>24 is changed when you are in temporary work</p> <p>25 release.</p>	<p style="text-align: right;">Page 97</p> <p>1 Ruben Wills</p> <p>2 and things.</p> <p>3 Q. And did Ms. Woodbury grant you</p> <p>4 the ability to speak to those witnesses?</p> <p>5 A. Yes.</p> <p>6 But something that happened in</p> <p>7 the hearing to which made me not go through</p> <p>8 with the witnesses portion. I am not sure</p> <p>9 what it was. I don't remember that.</p> <p>10 Q. So she granted you -- she was</p> <p>11 gonna provide you with the witnesses, but you</p> <p>12 then changed your mind; is that correct?</p> <p>13 A. Yes. Something occurred which</p> <p>14 made me change my mind.</p> <p>15 Q. So the witnesses did not testify;</p> <p>16 is that correct?</p> <p>17 A. Yes, that is correct.</p> <p>18 Q. Did you testify during this</p> <p>19 hearing?</p> <p>20 A. Yes, I did.</p> <p>21 Q. And was the testimony you gave at</p> <p>22 this disciplinary hearing true and accurate?</p> <p>23 A. Yes, ma'am.</p> <p>24 Q. Did Ms. Woodbury give you an</p> <p>25 opportunity to ask questions during the</p>

25 (Pages 94 - 97)

<p style="text-align: right;">Page 98</p> <p>1 Ruben Wills</p> <p>2 hearing?</p> <p>3 A. Yes, Lieutenant Woodbury did.</p> <p>4 Q. Did the hearing officer</p> <p>5 essentially or eventually issue a decision on</p> <p>6 this misbehavior report?</p> <p>7 A. Yes.</p> <p>8 Q. And what was the disposition?</p> <p>9 A. Not guilty on the smuggling</p> <p>10 because of the rules stated, but she found me</p> <p>11 guilty on the unauthorized medication, which</p> <p>12 I did not understand.</p> <p>13 Q. Was that for Benadryl?</p> <p>14 A. Yes. I believe, yes. Because</p> <p>15 that is the only thing that was in dispute.</p> <p>16 Q. And did she tell you why she</p> <p>17 found you guilty, even though you say you did</p> <p>18 not understand?</p> <p>19 MR. RICKNER: Objection.</p> <p>20 You can answer.</p> <p>21 A. I have no idea. I still don't</p> <p>22 know why.</p> <p>23 Q. Did she read the decision on the</p> <p>24 record? Did she tell you orally as to the</p> <p>25 basis for her decision?</p>	<p style="text-align: right;">Page 100</p> <p>1 Ruben Wills</p> <p>2 had at Lincoln was a small rooftop area where</p> <p>3 everybody went to smoke, so I barely went up</p> <p>4 there anyway.</p> <p>5 Q. During this disciplinary hearing,</p> <p>6 did you at any point talk about, discuss with</p> <p>7 Ms. Woodbury, the Lincoln orientation manual</p> <p>8 that you were referring during this</p> <p>9 deposition?</p> <p>10 A. Yes. Yes. Lieutenant Woodbury,</p> <p>11 I did speak to her during the manual, yes. I</p> <p>12 spoke to multiple people.</p> <p>13 Q. During the hearing, what, if</p> <p>14 anything, did you tell her about the Lincoln</p> <p>15 orientation manual that you are now talking</p> <p>16 about?</p> <p>17 A. I said the rules clearly state</p> <p>18 that it's allowable.</p> <p>19 Q. Did you appeal this disciplinary</p> <p>20 hearing disposition at any point?</p> <p>21 A. Yes, I did.</p> <p>22 Q. And did you appeal it yourself,</p> <p>23 or did you have an attorney do it?</p> <p>24 A. I appealed it myself, because</p> <p>25 they told me that an attorney was not allowed</p>
<p style="text-align: right;">Page 99</p> <p>1 Ruben Wills</p> <p>2 A. Yes, because I signed the</p> <p>3 disposition, and I repeated it.</p> <p>4 And I think if my repeating is</p> <p>5 when she said that the Benadryl was</p> <p>6 allowable.</p> <p>7 Q. So you're saying that she found</p> <p>8 you guilty of possessing unauthorized</p> <p>9 Benadryl, but she said that it was allowed?</p> <p>10 A. Unauthorized medication is the</p> <p>11 actually charge; and from what I remember,</p> <p>12 yes. I could go back, but I do remember</p> <p>13 that.</p> <p>14 Q. Were sanctions imposed as a</p> <p>15 result of this guilty disposition?</p> <p>16 A. Yeah. She gave me 15 days, no</p> <p>17 rec.</p> <p>18 Q. And when you say 15 days of no</p> <p>19 rec, were you actually involved in any</p> <p>20 recreation at Lincoln Correctional Facility</p> <p>21 at that time?</p> <p>22 MR. RICKNER: Objection.</p> <p>23 A. No. I was already confined to</p> <p>24 the floor.</p> <p>25 The only rec -- the only rec they</p>	<p style="text-align: right;">Page 101</p> <p>1 Ruben Wills</p> <p>2 to help with that tier of disciplinary, after</p> <p>3 my attorney tried to help the first time.</p> <p>4 And I was told that my first</p> <p>5 appeal was too technical, and that I should</p> <p>6 appeal this time, dealing with my record</p> <p>7 while in the facility: Never missing any</p> <p>8 check-ins, home check-ins, job check-ins,</p> <p>9 never missing dates of coming back into the</p> <p>10 facility, so things like that.</p> <p>11 So that is what I did the second</p> <p>12 appeal on.</p> <p>13 Q. And what was the ultimate result</p> <p>14 of the appeal? Was it denied or was it</p> <p>15 granted?</p> <p>16 A. It was denied.</p> <p>17 Q. Now, did you know Lieutenant</p> <p>18 Woodbury before your April 8, 2019</p> <p>19 disciplinary hearing?</p> <p>20 A. Yes. She was a lieutenant in the</p> <p>21 facility the whole time.</p> <p>22 She was actually the lieutenant</p> <p>23 that told the CO at the bubble to let me know</p> <p>24 why I was being placed on hold.</p> <p>25 Q. Did you have any interactions</p>

<p style="text-align: right;">Page 102</p> <p>1 Ruben Wills</p> <p>2 prior to April 8th of 2019 with Lieutenant</p> <p>3 Woodbury?</p> <p>4 A. Yes. She was a hearing examiner</p> <p>5 at the first hearing I had.</p> <p>6 Q. Okay. After the April 8th of</p> <p>7 2019 disciplinary hearing, did you have any</p> <p>8 interactions with Lieutenant Woodbury?</p> <p>9 A. Not that I know of. Not that I</p> <p>10 remember.</p> <p>11 Q. Did you have a temporary work</p> <p>12 release hearing after the March and April of</p> <p>13 2019 disciplinary disposition?</p> <p>14 A. Yes, I did.</p> <p>15 Q. When was that hearing?</p> <p>16 A. I don't remember the exact date.</p> <p>17 Q. Was it shortly after your</p> <p>18 April 8, 2019 disciplinary hearing?</p> <p>19 A. Yeah. Very shortly afterwards,</p> <p>20 which was surprising.</p> <p>21 Q. Was the hearing scheduled at</p> <p>22 Lincoln Correctional Facility?</p> <p>23 A. Yes, ma'am.</p> <p>24 Q. How were you notified of that</p> <p>25 hearing?</p>	<p style="text-align: right;">Page 104</p> <p>1 Ruben Wills</p> <p>2 something like that, that makes up the</p> <p>3 committee.</p> <p>4 Q. Okay. But you said those three</p> <p>5 people were the people that were at the</p> <p>6 hearing, correct?</p> <p>7 A. Yes, ma'am.</p> <p>8 Q. And did you appear at your</p> <p>9 temporary release committee hearing scheduled</p> <p>10 during that time?</p> <p>11 A. Yes, ma'am.</p> <p>12 Q. And what, if anything, happened</p> <p>13 during the hearing?</p> <p>14 A. They asked me questions. I</p> <p>15 answered.</p> <p>16 And I kept bringing up the issues</p> <p>17 that I had during both hearings and the</p> <p>18 process and the pieces of the process that</p> <p>19 were wrong.</p> <p>20 Q. So you testified during this</p> <p>21 hearing; is that correct?</p> <p>22 A. Yes, ma'am.</p> <p>23 Q. And was the testimony that you</p> <p>24 provided during this hearing, was it truthful</p> <p>25 and accurate?</p>
<p style="text-align: right;">Page 103</p> <p>1 Ruben Wills</p> <p>2 A. I believe my ORC told me.</p> <p>3 Q. Do you know who, if anyone,</p> <p>4 referred you to that hearing?</p> <p>5 A. I had to be referred.</p> <p>6 I would believe it was -- oh.</p> <p>7 Q. When you say believe?</p> <p>8 A. When I say believe, I am not</p> <p>9 sure. I don't want to say something -- I</p> <p>10 don't want to be called a liar later. I</p> <p>11 don't know.</p> <p>12 I believe it was Lieutenant Heini</p> <p>13 (phonetic), the first hearing officer that</p> <p>14 referred it. I am not sure, though.</p> <p>15 Q. Who was this hearing in front of?</p> <p>16 A. Oh, the new ORC, which was</p> <p>17 strange. The dep superintendent and someone</p> <p>18 from security I believe, one of the COs.</p> <p>19 Q. Is it fair to say that they were</p> <p>20 part of the temporary release committee at</p> <p>21 Lincoln those three people?</p> <p>22 A. The temporary release committee</p> <p>23 at Lincoln is made up of positions, not</p> <p>24 particular people. As long as you have</p> <p>25 someone from each position in the room, or</p>	<p style="text-align: right;">Page 105</p> <p>1 Ruben Wills</p> <p>2 A. Yes.</p> <p>3 Q. Was a decision made by the</p> <p>4 committee as a result of the hearing?</p> <p>5 A. Yes, to remove me from temporary</p> <p>6 work release.</p> <p>7 Q. Were you told the reason as to</p> <p>8 why you were going to be removed from your</p> <p>9 temporary work release?</p> <p>10 A. No. They just told me I was no</p> <p>11 longer suitable, which I didn't understand.</p> <p>12 Q. And did the superintendent at</p> <p>13 Lincoln Correctional Facility approve the</p> <p>14 committee's decision --</p> <p>15 A. Yes.</p> <p>16 Q. -- to remove you from the</p> <p>17 temporary work release program?</p> <p>18 A. Yes.</p> <p>19 Q. So based on what you just</p> <p>20 testified, Lieutenant Woodbury was not</p> <p>21 present during your temporary work release</p> <p>22 committee hearing that was held sometime</p> <p>23 after April 8, 2019, correct?</p> <p>24 A. I do not believe she was present.</p> <p>25 Q. She was not part of the temporary</p>

<p style="text-align: right;">Page 106</p> <p>1 Ruben Wills</p> <p>2 work committee who recommended to revoke your</p> <p>3 temporary work release in 2019, is that</p> <p>4 correct, based on what you just said?</p> <p>5 A. Yes. That is the same committee.</p> <p>6 Q. Yes, she was not part of it? She</p> <p>7 was not part of the decision making that day;</p> <p>8 is that correct?</p> <p>9 A. I do not remember her being in</p> <p>10 the room.</p> <p>11 And if she was part of it after</p> <p>12 the fact, I would have no knowledge.</p> <p>13 Q. But she was not at the hearing,</p> <p>14 correct?</p> <p>15 A. I do not remember her being at</p> <p>16 the hearing. That doesn't mean she wasn't</p> <p>17 there, that just means my memory might be</p> <p>18 faulty.</p> <p>19 Q. You listed three other</p> <p>20 individuals, is that correct, who were</p> <p>21 present at the hearing?</p> <p>22 A. Yes. I remember those three</p> <p>23 individuals for specific reasons.</p> <p>24 Q. And Ms. Woodbury was not one of</p> <p>25 those three people; is that correct?</p>	<p style="text-align: right;">Page 108</p> <p>1 Ruben Wills</p> <p>2 Facility?</p> <p>3 A. Yes.</p> <p>4 Q. On June 4, 2019, were you handed</p> <p>5 a misbehavior report dated June 1st of 2019?</p> <p>6 A. I was handed one. I don't</p> <p>7 remember the exact date.</p> <p>8 Q. And do you remember who handed</p> <p>9 you that misbehavior report?</p> <p>10 A. No.</p> <p>11 Q. Where were you specifically in</p> <p>12 the facility when you were handed that</p> <p>13 misbehavior report?</p> <p>14 A. I do not remember.</p> <p>15 Q. What were the charges in that</p> <p>16 specific misbehavior report in June of 2019?</p> <p>17 A. I believe unauthorized medication</p> <p>18 and smuggling.</p> <p>19 Q. And would that be the same two</p> <p>20 charges that you were charged with in the</p> <p>21 April 2019 misbehavior report?</p> <p>22 A. Yes.</p> <p>23 Q. Did the misbehavior report</p> <p>24 indicate the facts for which you were being</p> <p>25 charged?</p>
<p style="text-align: right;">Page 107</p> <p>1 Ruben Wills</p> <p>2 A. Not one of those three, no.</p> <p>3 Q. So, to your knowledge, you don't</p> <p>4 know that Lieutenant Woodbury had any</p> <p>5 personal involvement in the decision to</p> <p>6 revoke your temporary work release? Yes or</p> <p>7 no?</p> <p>8 A. No.</p> <p>9 Q. Mr. Wills, April 2019 was not the</p> <p>10 first time that you were found guilty of</p> <p>11 unauthorized medication charge; is that</p> <p>12 correct?</p> <p>13 A. Yes, that is correct.</p> <p>14 Q. Because that also happened in</p> <p>15 2018; is that correct?</p> <p>16 A. Yes, it did.</p> <p>17 Q. And this was during the time that</p> <p>18 you were on industrial training at Hudson</p> <p>19 Correctional Facility; is that correct?</p> <p>20 A. Yes, ma'am.</p> <p>21 Q. So directing your attention to</p> <p>22 June 14th of 2019, you were incarcerated at</p> <p>23 that time, is that right?</p> <p>24 A. Yes.</p> <p>25 Q. Was that at Hudson Correctional</p>	<p style="text-align: right;">Page 109</p> <p>1 Ruben Wills</p> <p>2 A. Yes, I am sure it did.</p> <p>3 Q. What, if anything, did the</p> <p>4 miss -- do you remember what the misbehavior</p> <p>5 report from June 2018 stated?</p> <p>6 A. No, I don't remember. I remember</p> <p>7 the charges, and I remember the disposition</p> <p>8 of them.</p> <p>9 Q. What was the medication that you</p> <p>10 were being charged for unauthorized</p> <p>11 medication?</p> <p>12 A. It was two different medications.</p> <p>13 Q. Which were -- what were those</p> <p>14 medications?</p> <p>15 A. One was Benadryl, and one was a</p> <p>16 medication that DOCCS actually prescribed to</p> <p>17 me, but it was out of date.</p> <p>18 Q. One moment.</p> <p>19 A. It was something that DOCCS</p> <p>20 prescribed for me. It came to me from Marcy</p> <p>21 to that facility. And they gave it to me</p> <p>22 because they said the prescription was up.</p> <p>23 Q. I will be showing you what will</p> <p>24 be marked as Defendant's Exhibit B.</p> <p>25 A. Uh-huh.</p>

<p style="text-align: right;">Page 110</p> <p>1 Ruben Wills</p> <p>2 Q. It is Bates stamped State</p> <p>3 Defendant 000049, and I will be sharing it</p> <p>4 with you.</p> <p>5 Mr. Wills, I am going to scroll</p> <p>6 down, so -- and just let me know when you</p> <p>7 need me to scroll down further.</p> <p>8 I will give you an opportunity to</p> <p>9 review the document, and you give me</p> <p>10 instruction as to when you want me to scroll</p> <p>11 further down.</p> <p>12 (Whereupon, a document was marked</p> <p>13 as Defendant's Exhibit B for</p> <p>14 identification, as of this date.)</p> <p>15 A. Oh, NyQuil. Okay. You can</p> <p>16 scroll down. NyQuil.</p> <p>17 Q. Is this document the misbehavior</p> <p>18 report that you were issued in June of 2018?</p> <p>19 A. Yes.</p> <p>20 So can I correct my answer?</p> <p>21 I said Benadryl; it was NyQuil.</p> <p>22 Q. And can you please tell me where</p> <p>23 the NyQuil pills were found?</p> <p>24 A. It says it was found during a</p> <p>25 locker search, inside of my locker.</p>	<p style="text-align: right;">Page 112</p> <p>1 Ruben Wills</p> <p>2 A. Yeah. Sure.</p> <p>3 That is how I was able to -- that</p> <p>4 is how I had to carry them when the nurse</p> <p>5 gave them to me in Ulster.</p> <p>6 Q. Did you have a prescription from</p> <p>7 the facility regarding these NyQuil pills?</p> <p>8 A. No, I did not.</p> <p>9 Q. Where did you get these NyQuil</p> <p>10 pills that you stored in the facility?</p> <p>11 A. The nurse at the facility.</p> <p>12 Q. Did you remember which nurse gave</p> <p>13 them to you?</p> <p>14 A. No, I do not.</p> <p>15 I do remember it was one of the</p> <p>16 trips that I had taken down, that I spoke to</p> <p>17 earlier. And there was some circumstances</p> <p>18 where the nurse gave me the NyQuil pills,</p> <p>19 because I had a fever of like a hundred and</p> <p>20 something, my ear was swollen out huge, and I</p> <p>21 was suffering from -- what is it, the</p> <p>22 condition when your muscles start to turn to</p> <p>23 jelly from being in the wheelchair? I forget</p> <p>24 the name of it.</p> <p>25 The nurse had some compassion and</p>
<p style="text-align: right;">Page 111</p> <p>1 Ruben Wills</p> <p>2 Q. Okay. And so the NyQuil pills</p> <p>3 were also found in your locker; is that</p> <p>4 correct?</p> <p>5 A. Yes.</p> <p>6 Q. And how many pills of NyQuil were</p> <p>7 found in your locker?</p> <p>8 A. I do not remember that, but it</p> <p>9 couldn't be more than maybe two to four</p> <p>10 pills.</p> <p>11 MS. DEDUSHI: And I am going to</p> <p>12 stop sharing.</p> <p>13 A. I believe.</p> <p>14 Q. And how were these pills stored</p> <p>15 in your locker?</p> <p>16 A. They were inside the medication</p> <p>17 bottle.</p> <p>18 Q. And when you say inside the</p> <p>19 medication bottle, was the bottle -- the</p> <p>20 medication bottle for NyQuil, or for other</p> <p>21 pills?</p> <p>22 A. No, for other pills.</p> <p>23 Q. And is there reason why the</p> <p>24 NyQuil pills were not in the original package</p> <p>25 in which they were found?</p>	<p style="text-align: right;">Page 113</p> <p>1 Ruben Wills</p> <p>2 gave me some NyQuil pills in order to do it.</p> <p>3 I kept them.</p> <p>4 Q. So she gave you -- that nurse --</p> <p>5 A. It was a male. It was not a</p> <p>6 female, it was a male.</p> <p>7 Q. So he gave you the NyQuil pills</p> <p>8 without a prescription, that is what you are</p> <p>9 saying?</p> <p>10 A. Yes, 'cause he gave them to me.</p> <p>11 Q. Okay.</p> <p>12 A. He literally handed them to me</p> <p>13 right then and there. It wasn't like they --</p> <p>14 he gave them to me, told me to take these.</p> <p>15 He gave me couple of extra ones in the</p> <p>16 envelope.</p> <p>17 And as soon as I got back, I put</p> <p>18 them in my bottle and just kept them, which</p> <p>19 came with me through from Marcy to Hudson,</p> <p>20 which is why they dropped the smuggling</p> <p>21 charge, because they knew that it had to have</p> <p>22 come in at that time.</p> <p>23 Q. Did you inform the facility,</p> <p>24 Hudson, when you were transferred, that you</p> <p>25 were in possession of these NyQuil pills?</p>

<p style="text-align: right;">Page 114</p> <p>1 Ruben Wills</p> <p>2 A. No, I forgot. And I told them I</p> <p>3 would plead guilty, because I just forgot, to</p> <p>4 that charge.</p> <p>5 Q. Did you inform medical that you</p> <p>6 were in possession of these NyQuil pills at</p> <p>7 Hudson Correctional Facility?</p> <p>8 A. No, because I forgot.</p> <p>9 Q. Did you have a disciplinary</p> <p>10 hearing related to the June 1, 2018</p> <p>11 misbehavior report?</p> <p>12 A. Yes, ma'am.</p> <p>13 Q. And was that disciplinary hearing</p> <p>14 held on June 14th of 2018?</p> <p>15 A. I don't remember the exact date</p> <p>16 again, but it was held. I remember where it</p> <p>17 was held.</p> <p>18 Q. Do you remember who the hearing</p> <p>19 officer was who the hearing officer was that</p> <p>20 presided disciplinary hearing was?</p> <p>21 A. I believe was an acting captain.</p> <p>22 Q. Do you plead guilty or not</p> <p>23 guilty?</p> <p>24 A. I pled not guilty to the</p> <p>25 smuggling charge, and I told them I would</p>	<p style="text-align: right;">Page 116</p> <p>1 Ruben Wills</p> <p>2 didn't have a prescription for it.</p> <p>3 They did have the exact instance</p> <p>4 noted that I had the fever, that I had the</p> <p>5 ear infection, that I forgot the muscle</p> <p>6 condition.</p> <p>7 But they did not bother to call,</p> <p>8 from what I was told, over to the facility to</p> <p>9 ask anybody anything.</p> <p>10 Q. Are you sure about that, that</p> <p>11 they didn't ask the nurse to call the</p> <p>12 facility?</p> <p>13 A. I said from what I was told.</p> <p>14 They told me that they didn't need to do</p> <p>15 that.</p> <p>16 They checked the actual record of</p> <p>17 me being there, and they said yes, I was</p> <p>18 there, yes, these things happened, but they</p> <p>19 didn't have a prescription.</p> <p>20 And I told them I didn't remember</p> <p>21 the nurse's name, but it was a male young</p> <p>22 nurse. So if they did that, they would be</p> <p>23 able to find it.</p> <p>24 What I was told that they didn't</p> <p>25 need to do it. If they did it, they were</p>
<p style="text-align: right;">Page 115</p> <p>1 Ruben Wills</p> <p>2 plead guilty to actually having it, because I</p> <p>3 did have it.</p> <p>4 Q. And did you ask for any specific</p> <p>5 witness during your disciplinary hearing?</p> <p>6 A. Not that I can remember.</p> <p>7 I did bring up the fact that the</p> <p>8 medical -- all of the medication bottles went</p> <p>9 through the proper search when I got there.</p> <p>10 And because I was transferred there, I</p> <p>11 believe by myself that day, it was like a</p> <p>12 three-hour exhaustive search.</p> <p>13 If I would have brought in any</p> <p>14 other kind of way, it would have been through</p> <p>15 some type of means of incredible magic; so he</p> <p>16 dropped the smuggling.</p> <p>17 Q. During this disciplinary hearing,</p> <p>18 did the hearing officer contact the prior</p> <p>19 facility where you said you received these</p> <p>20 pills?</p> <p>21 A. No. He went to medical at the</p> <p>22 facility, and he contacted medical at the</p> <p>23 facility.</p> <p>24 And all medical did was look up</p> <p>25 the prior prescriptions and noted that I</p>	<p style="text-align: right;">Page 117</p> <p>1 Ruben Wills</p> <p>2 just, you know, blowing me off. I don't</p> <p>3 know. They could have been brushing me off.</p> <p>4 Because at that point, they</p> <p>5 didn't -- I didn't have any authority for</p> <p>6 them to do anything like that.</p> <p>7 Q. But based on what you said, you</p> <p>8 just testified that the hearing officer did</p> <p>9 check with the facility's medical at Hudson</p> <p>10 to see whether you had a prescription for</p> <p>11 NyQuil. Is that correct, yes or no?</p> <p>12 A. Yes, absolutely.</p> <p>13 Q. He found out that you did not</p> <p>14 have a prescription at Hudson Correctional</p> <p>15 Facility?</p> <p>16 A. Yes, ma'am.</p> <p>17 Q. Did you testify at your June 2018</p> <p>18 disciplinary hearing?</p> <p>19 A. Yes.</p> <p>20 Q. Was the testimony you gave at</p> <p>21 your disciplinary hearing in June of 2018</p> <p>22 true and accurate?</p> <p>23 A. Yes.</p> <p>24 Q. Did the hearing officer issue a</p> <p>25 decision regarding the June 2018 disciplinary</p>

<p style="text-align: right;">Page 118</p> <p>1 Ruben Wills</p> <p>2 hearing?</p> <p>3 A. Yes.</p> <p>4 Q. And what was the disposition?</p> <p>5 A. He dropped the smuggling, and he</p> <p>6 held me guilty for the actual possession of</p> <p>7 the NyQuil.</p> <p>8 Q. Did the hearing officer tell you</p> <p>9 why they found you guilty?</p> <p>10 A. Because I had it. I admitted I</p> <p>11 had it.</p> <p>12 Q. Did they inform you of the</p> <p>13 evidence that they relied upon in making that</p> <p>14 decision?</p> <p>15 A. I don't remember.</p> <p>16 But I am sure it would be the</p> <p>17 nurse's contact, or the nurses looking at the</p> <p>18 record, and me saying yes, I had the NyQuil.</p> <p>19 I didn't lie about it.</p> <p>20 Q. Were there sanctions imposed as a</p> <p>21 result of the officer's disposition for the</p> <p>22 June 2018 hearing?</p> <p>23 A. I don't recall what they were. I</p> <p>24 am sure they were. There was loss of</p> <p>25 something, if I can remember correctly.</p>	<p style="text-align: right;">Page 120</p> <p>1 Ruben Wills</p> <p>2 A. Yes.</p> <p>3 THE WITNESS: Can you hold on one</p> <p>4 second please?</p> <p>5 MS. DEDUSHI: Yes.</p> <p>6 MR. RICKNER: We have been going</p> <p>7 an awful long time. I don't know if</p> <p>8 Mr. Wills is still within earshot.</p> <p>9 Can we take ten?</p> <p>10 MR. DEDUSHI: We can totally do</p> <p>11 that.</p> <p>12 I guess my question is --</p> <p>13 THE WITNESS: I am sorry. I was</p> <p>14 dealing with the landscaper.</p> <p>15 MR. RICKNER: He can answer the</p> <p>16 pending question, if you want.</p> <p>17 MR. DEDUSHI: You know, I will</p> <p>18 withdraw that question, because that is</p> <p>19 another section I am going to enter</p> <p>20 into.</p> <p>21 I guess my question to you guys</p> <p>22 is, do we want to take a lunch break at</p> <p>23 any point? And this may be the</p> <p>24 appropriate time to do so. I don't</p> <p>25 know.</p>
<p style="text-align: right;">Page 119</p> <p>1 Ruben Wills</p> <p>2 Q. After the sanctions were imposed,</p> <p>3 did that change the housing -- did that</p> <p>4 change your status within the facility at</p> <p>5 all?</p> <p>6 A. No, that didn't change.</p> <p>7 Actually, I think it was I had</p> <p>8 clean-up. I was on clean-up detail for like</p> <p>9 seven days straight, or something like that.</p> <p>10 I might have lost packages or</p> <p>11 phones for like 30 days. I don't remember.</p> <p>12 But that sounds in the realm of what I</p> <p>13 remember.</p> <p>14 Q. Okay. And did you appeal your</p> <p>15 June 14, 2018 disciplinary hearing</p> <p>16 disposition?</p> <p>17 A. I don't believe I appealed that.</p> <p>18 Q. Okay.</p> <p>19 A. I am not sure, though. I don't</p> <p>20 believe I did.</p> <p>21 Q. Mr. Wills, as we just discussed</p> <p>22 during this, so far you conceded that you</p> <p>23 were disciplined for unauthorized medication</p> <p>24 both in June of 2018 and April of 2019,</p> <p>25 correct? Yes or no?</p>	<p style="text-align: right;">Page 121</p> <p>1 Ruben Wills</p> <p>2 MR. RICKNER: Well, I mean, it</p> <p>3 depends on how much more time do you</p> <p>4 think? We have been going for two hours</p> <p>5 and change. I assume you have an idea</p> <p>6 how far along you are in the outline.</p> <p>7 MS. DEDUSHI: Yes. I think I</p> <p>8 have like another hour, hour and a half</p> <p>9 max, probably. I don't think I have</p> <p>10 more than that.</p> <p>11 MS. MEKLES: And I will need like</p> <p>12 an hour, hour and a half.</p> <p>13 MS. DEDUSHI: Would it make more</p> <p>14 sense if we just took a lunch break and</p> <p>15 then just continue?</p> <p>16 MR. RICKNER: I would push</p> <p>17 through for another half hour, and then</p> <p>18 take a lunch break. It is a bit</p> <p>19 earlier.</p> <p>20 MS. DEDUSHI: Okay. So did you</p> <p>21 still want to take --</p> <p>22 MR. RICKNER: Let's take ten</p> <p>23 minutes for the bathroom.</p> <p>24 MR. DEDUSHI: We can take a</p> <p>25 bathroom break for ten minutes, and then</p>